

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SHAWN DRUMGOLD,)	
Plaintiff,)	
)	
v.)	Civil Action No. 04cv11193-NG
)	
TIMOTHY CALLAHAN,)	
RICHARD WALSH, et al.,)	
Defendants.)	
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GERTNER, D.J.		

VERDICT SLIP

WORKING DRAFT

April 4, 2008

1. Tracie Peaks

- a. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Richard Walsh violated his right to a fair trial by withholding exculpatory evidence from prosecutors, manufacturing evidence, and/or obtaining false statements with regard to Tracie Peaks' identification of the Plaintiff?

YES_____ NO_____

- b. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan violated his right to a fair trial by withholding exculpatory evidence from prosecutors, manufacturing evidence, and/or obtaining false statements with regard to Tracie Peaks' identification of Plaintiff?

YES_____ NO_____

2. Mary Alexander

- a. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Richard Walsh violated his right to a fair trial by withholding exculpatory evidence from prosecutors regarding Mary Alexander's health condition affecting her brain?

YES_____ NO_____

- b. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan violated his right to a fair trial by withholding exculpatory evidence from prosecutors regarding Mary Alexander's health condition affecting her brain?

YES_____ NO_____

3. **Ricky Evans**

- a. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan violated his right to a fair trial by withholding exculpatory evidence from prosecutors, creating evidence, and/or obtaining false statements regarding Ricky Evans' alleged observations of Shawn Drumgold and Terrance Taylor on August 19, 1988?

YES_____ NO_____

- b. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan violated his right to a fair trial by withholding exculpatory evidence from prosecutors, manufacturing evidence, and/or obtaining false statements regarding Ricky Evans being housed at a hotel and provided with meals?

YES_____ NO_____

- c. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan violated his right to a fair trial by withholding exculpatory evidence from prosecutors, manufacturing evidence, and/or obtaining false statements regarding Ricky Evans being given money in the amount of \$20?

YES_____ NO_____

- d. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan violated his right to a fair trial by withholding exculpatory evidence from prosecutors,

manufacturing evidence, and/or obtaining false statements regarding Ricky Evans being given money in an amount substantially greater than \$20?

YES_____ NO_____

- e. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan violated his right to a fair trial by withholding exculpatory evidence from prosecutors, manufacturing evidence, and/or obtaining false statements regarding the disposition of Ricky Evans' pending criminal cases?

YES_____ NO_____

4. **Civil Conspiracy**

Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that:

- a. The Defendants, Richard Walsh and Timothy Callahan, entered into an express or implied agreement between the Defendants, or between the Defendants and another, to deprive the Plaintiff of the constitutional rights to a fair trial described above?

YES_____ NO_____

- b. At least one of the alleged co-conspirators engaged in an overt act in furtherance of the conspiracy?

YES_____ NO_____

- c. Plaintiff suffered an actual deprivation of constitutional rights as a result of the overt act?

YES_____ NO_____

SO SAY WE ALL:

Foreperson (please sign)
Boston, Massachusetts

Date